

NATURE OF CHARGE: Misbranding, Section 502 (a), the following label statements were false and misleading since the article would not be effective in the treatment of the conditions represented: "Sore Throat (caused by colds or local infection) * * * use Nycol 3 or 4 times daily * * *," "* * * apply freely for * * * sore throat * * * eczema * * *," acne, impetigo, ringworm, * * * pityriasis, * * * barber's itch, seborrhea. Apply Nycol to afflicted area 4 or 5 times daily. Some skin ailments are caused by internal conditions. (Use Nycol to relieve effects and to prevent secondary infection)."

DISPOSITION: September 2, 1948. Default decree of condemnation and destruction.

2666. Misbranding of Ru-Mex-Ol Compound. U. S. v. 966 Dozen Bottles * * *.
(F. D. C. No. 25147. Sample Nos. 27267-K, 45809-K, 45810-K.)

LIBEL FILED: August 3, 1948, Western District of Tennessee.

ALLEGED SHIPMENT: On or about April 28, May 26, and June 26 and 30, 1948, by the W. T. Rawleigh Co., from Freeport, Ill.

PRODUCT: 966 dozen bottles of *Ru-Mex-Ol Compound* at Memphis, Tenn. Examination showed that the product consisted of approximately 10 percent alcohol, 85 percent water, and 5 percent extractives from plant materials, and potassium iodide (0.4 grain per teaspoonful) and salicylic acid (0.3 grain per teaspoonful). A pharmacological test revealed that the article when taken as directed in the labeling, namely, "Adults 1 to 2 teaspoonfuls 3 times a day after meals," produced no laxative effect.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the labeling of the article were false and misleading since they represented and suggested that the article when used as directed would produce alterative or laxative effects and that it would have a significant effect in stimulating the appetite, whereas the article when taken as directed would not be effective to produce alterative or laxative effects and would not have any significant effect in stimulating the appetite.

DISPOSITION: September 13, 1948. Default decree of condemnation and destruction.

2667. Misbranding of Ferguson's Zerret Applicator. U. S. v. 16 Devices * * *.
(F. D. C. No. 25500. Sample No. 25863-K.)

LIBEL FILED: August 26, 1948, District of South Dakota.

ALLEGED SHIPMENT: By the firm, Ferguson's Zerret Applicator, from Chicago, Ill. The devices were shipped on or about July 8, 1948, and a number of circulars were shipped on or about August 6, 1948.

PRODUCT: 16 devices known as "*Ferguson's Zerret Applicator*" at Aberdeen, S. Dak., together with a number of circulars entitled "Directions for the use of the Zerret Applicator" and "Why Zerret Works." Examination showed that the device consisted of two plastic spheres joined together with a plastic band and containing a liquid. According to the labeling, when the device is held in the hands it will give off energy which exerts a curative effect. Tests showed that the device gives off no known type of energy.